

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DANIEL D. REED, JR.

PETITIONER

VS.

CIVIL ACTION NO. 3:18CV267TSL-RHW

SHERIFF BILLY SOLLIE

RESPONDENT

ORDER

This cause came on this date to be heard upon the report and recommendation of United States Magistrate Robert H. Walker, and the court, no objection having been filed and having fully reviewed the report and recommendation entered in this cause on November 20, 2018, and no objection having been filed and being duly advised in the premises, finds that said report and recommendation should be adopted as the opinion of this court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge Robert H. Walker entered on November 20, 2018, be, and the same is hereby adopted as the finding of this court. Accordingly, respondent's motion to dismiss is granted. It follows then that the petition for writ of habeas corpus, filed pursuant to § 2241, is hereby dismissed.

It is further ordered that a certificate of appealability is denied. Petitioner has failed to demonstrate that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right" and that "jurists of reason would find it debatable whether [this] court was correct

in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 8th day of January, 2019.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE